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10 Attorneys for Defendant
The Lincoln National Life Insurance
11 Company

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 DARRELL WILEY,

No. C 16-02811 WHO

16
17 Plaintiff,

**STIPULATION RE DISMISSAL
WITH PREJUDICE AND ORDER**

18 vs.

19 THE LINCOLN NATIONAL LIFE
INSURANCE COMPANY,

20 Defendants.
21 _____/

22 WHEREAS, Plaintiff filed his Complaint on May 25, 2016 alleging a cause of action
23 for ERISA benefits due; and

24 WHEREAS, Plaintiff and Defendants have resolved this matter.

25 IT IS THEREFORE STIPULATED by and between Plaintiff Darrell Wiley and Defendant
26 The Lincoln National Life Insurance Company that, pursuant to Federal Rules of Civil Procedure 41
27 (a)(1)(A)(i i), this action and all claims Plaintiff Darrell Wiley has asserted against Defendant in
28

1 this action are dismissed with prejudice. Plaintiff and Defendants stipulate that each party shall bear
2 their own attorneys' fees and costs.

3
4 Dated: December 16, 2016 _____ By: /s/ Laurence F. Padway
5 Laurence F. Padway
6 Attorney for plaintiff
7 Darrell Wiley

8 Dated: December 16, 2016 DENTONS US LLP

9
10 By: /s/ Douglas A. Scullion
11 Douglas A. Scullion
12 Anna S. Youssefi
13 Attorneys for Defendant
14 THE LINCOLN NATIONAL LIFE INSURANCE
15 COMPANY


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17
18 **ORDER**

19 The Court, having considered the Stipulation of the parties and good cause appearing
20 thereon, orders as follows:

- 21 1) The matter is dismissed with prejudice against Defendants pursuant to Federal Rules
22 of Civil Procedure 41(a)(1)(A)(ii);
23 2) Each party shall bear their own attorneys' fees and costs; and
24 3) The Court shall retain jurisdiction over this matter to enforce the terms of the
25 Settlement Agreement and Release.

26 IT IS SO ORDERED.

27 Dated: December 19, 2016

28 By: 
Hon. William H. Orrick
United States District Court Judge